

HUSA KKD

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8685

UNITED STATES OF AMERICA

Plaintiff,

v.

Christopher Filipino MIRTZINE

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF


21 U.S.C. § 952 and 960

Importation of a Controlled
Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about August 3, 2008, within the Southern District of California, defendant Christopher Filipino MIRTZINE, did knowingly and intentionally import approximately 208.06 kilograms (457.73 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Stewart Harvey
Special Agent
U. S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4th DAY OF AUGUST 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

v.

2 Christopher Filipino MIRTZINE

3 STATEMENT OF FACTS

4 This Statement of Facts is based on the reports, documents,
5 and notes furnished to U. S. Immigration and Customs Enforcement
6 Special Agent Stewart Harvey.

7 On August 3, 2008, at approximately 1010 hours, Christopher
8 Filipino MIRTZINE (MIRTZINE) entered the United States through the
9 Calexico, California, west port of entry. MIRTZINE was the sole
10 occupant of a 1991 Toyota Sea Breeze motor home bearing no license
11 plate.
12

13 During a pre-primary inspection, Customs and Border Protection
14 Officer (CBPO) Apolinar was informed by CBP Canine Enforcement
15 Officer J. Jones that his Narcotic Detector Dog (NDD) had alerted
16 to the 1991 Toyota Sea Breeze motor home. MIRTZINE and the motor
17 home were subsequently escorted to the vehicle secondary lot for
18 further inspection.

19 While at the vehicle secondary inspection lot, CBPO Apolinar
20 received a negative Customs declaration from MIRTZINE. When asked
21 where he was going, MIRTZINE stated he was going home to Los
22 Angeles, California. MIRTZINE further explained to CBPO Apolinar
23 that he (MIRTZINE) had spent a couple of days in Mexicali, Mexico,
24 with his girlfriend. When asked who the vehicle belonged to,
25 MIRTZINE stated he owned the vehicle. MIRTZINE also stated that he
26 and the motor home had been sent to secondary a couple of days
27 prior to his arrest, where he was fined for possession of a small
28

1 quantity of marijuana. CBPO Apolinar then escorted MIRTZINE to the
2 vehicle secondary office.

3 Upon further inspection of the motor home, CBPO Apolinar
4 discovered eighty-four (84) packages containing a green-leafy
5 substance, which field-tested positive for marijuana. All eighty-
6 four packages were discovered in a specially built compartment
7 located in the roof of the motor home. A total of 208.06 kilograms
8 (457.73 pounds) of marijuana were concealed in the specially built
9 compartment of the motor home.

10
11 MIRTZINE was arrested in violation of 21 U.S.C. § 952 & 960,
12 Importation of a Controlled Substance.